

FILED

FEB 22 2008

[Signature]
CLERK

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

CHARLES CACIOPPO, JR.
and ANITA CACIOPPO,

Plaintiffs,

vs.

KYNAN C. TRAIL, M.D. and
SACRED HEART HEALTH SERVICES
d/b/a AVERA SACRED HEART
HOSPITAL,

Defendants.

CIV. 07-4070

ORDER

Upon the reading and filing of the Stipulation of Dismissal, and upon all of the files and records herein, the Court being fully advised in the premises, and good cause appearing, it is hereby

ORDERED, ADJUDGED AND DECREED that the above-entitled action be and is hereby dismissed, with prejudice and without costs to any of the parties to this action.

Dated at Sioux Falls, South Dakota, this 22 day of February, 2008.

BY THE COURT:

[Signature]
John E. Simko
United States Magistrate Judge

ATTEST:

JOSEPH HAAS, CLERK

By *[Signature]*
Deputy Clerk